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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,922	05/24/2002	Daniel J. Budnik	EH-10618	6167

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EXAMINER

DESHPANDE, KALYAN K

ART UNIT	PAPER NUMBER
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3623

MAIL DATE	DELIVERY MODE
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09/06/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/063,922

Applicant(s)

BUDNIK ET AL.

Examiner

Kalyan K. Deshpande

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 17-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 8/20/02, 11/26/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Introduction***

1. The following is a non-final office action in response to the communications received on June 14, 2007. Claims 1-7 and 17-23 are now pending in this application.

### ***Information Disclosure Statement***

2. The examiner has reviewed the patents and articles supplied in the Information Disclosure Statements (IDS) provided on August 20, 2002 and November 26, 2002.

### ***Election/Restrictions***

3. Applicant's election with traverse of claims 1-7 and 17-23 in the reply filed on June 14, 2007 is acknowledged. The traversal is on the ground(s) that there is undue burden of examination. This is not found persuasive because the divergent subject matter of the inventions would impose an undue burden of examination. Therefore, the previously submitted restriction requirement is deemed appropriate.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6 and 17-22 are rejected under 35 U.S.C. 102(b) as being anticipated by (Baker, Sunny; Baker, Kim; "The Complete Idiot's Guide to Project Management", Alpha Books, 2000).

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As per claim 1, Baker teaches:

A computerized method of defining a work scope, comprising the steps of:

providing a list of tasks (see pp. 89-94 and 361-375; where tasks are defined.);

selecting a desired task from said list (see pp. 89-94 and 361-375; where a task can be selected.);

adding said desired task to said work scope (see pp. 89-94 and 361-375; where tasks can be added to the project scope.);

determining whether a related task exists (see pp. 89-94 and 361-375; where related tasks can be sequentially aligned. A determination of which tasks are related are done prior to the sequential aligning of tasks.); and

adding said related task to said work scope if said related task exists (see pp. 89-94 and 361-375; where related tasks are added to the work scope.).

As per claim 2, Baker teaches:

The method as recited in claim 1, wherein said related task comprises a prerequisite task or a concurrent task, and said related task adding step comprises automatically adding said prerequisite task or said concurrent task to said work scope (see pp. 89-94 and 361-375; where task sequencing is done.).

As per claim 3, Baker teaches:

The method as recited in claim 1, wherein said related task comprises a prerequisite task, a concurrent task, a superceding task or a recommended task, and said related task adding step comprises the steps of:

automatically substituting said desired task with said superceding task on said work scope (see pp. 89-101; where tasks are broken down into subtasks. Tasks are the superceding tasks can all subtasks are organized based on their related tasks. A project work scope can be listed to a detailed level using the subtasks or on a general overview using only task information.);

automatically adding said prerequisite task or said concurrent task to said work scope(see pp. 89-101; where tasks are broken down into subtasks. Tasks are the superceding tasks can all subtasks are organized based on their related tasks. A project work scope can be listed to a detailed level using the subtasks or on a general overview using only task information.); and

adding said recommended task to said work scope if a user seeks performance of said recommended task(see pp. 89-101; where tasks are broken down into subtasks. Tasks are the superceding tasks can all subtasks are organized based on their related tasks. A project work scope can be listed to a detailed level using the subtasks or on a general overview using only task information. Tasks quality can be further reviewed. Task quality is the same as performance of the task.).

As per claim 4, Baker teaches:

The method as recited in claim 1, wherein said determining step includes accessing a database to locate said related task (see pp. 361-375; where task information can be stored in a database.).

As per claim 5, Baker teaches:

The method as recited in claim 1, further comprising the step of determining if said desired task or said related task has been previously performed (see pp. 89-94 and 361-375; where tasks status can be determined.).

As per claim 6, Baker teaches:

The method as recited in claim 1, wherein said list of tasks comprises Service Bulletins (see pp. 96-97; where tasks are listed in a work breakdown structure. A work breakdown structure is the same as a service bulletin.).

Claims 17-22 recite a computer system taught by Baker (see pp. 361-375). Claims 17-22 further recite limitations already addressed by the rejections of claims 1-6; therefore the same rejections apply to these claims.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (Baker, Sunny; Baker, Kim; "The Complete Idiot's Guide to Project Management", Alpha Books, 2000).

As per claim 7, Baker fails to teach "wherein the work scope is performed on a gas turbine engine". However, Baker discloses a project management method that can be applied to a variety of industries, regardless of the intended field of use of the method. The system being adapted to be applied to a "gas turbine engine" is irrelevant

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since the intended use does not change the overall functionality of the system. The intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill in the art to use the Baker method at an gas turbine engine because Baker method is designed to be used in project management regardless of the intended use.

Claim 23 recites the same limitations as claim 7; therefore the same rejection applies to this claim.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are pertinent to the current invention, though not relied upon:

Myers et al. (U.S. Patent Publication No. 20020152112) teaches a system, method and user interface for reviewing projects to ensure that specified criteria are met.

Knudson et al. (U.S. Patent No. 5765140) teaches a dynamic project management system includes a server network and a master database.

Oliver (U.S. Patent No. 5907490) teaches a system for monitoring and assessing the performance of a project includes a computer and a software program associated with the computer, with the software program and computer operable in combination to receive project task data from a project management software file, determine current

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earned value (EV) information from the project task data, and graphically displaying the earned value information.

Leisten et al. (U.S. Patent No. 6023702) teaches a system platform for a synergistic, role modular work process environment.

Mitchell et al. (U.S. Patent No. 6944622) teaches a process manager supports the interactive definition of multiple user groups having access to process application software, and for each group, the interactive definition of a respective group interface which is unique to the group.

Budka et al. (U.S. Patent Publication No. 20020082895) teaches a project tracking system includes a user interface includes a project window, a request window, and a task window, categorizing project related information, request related information and task related information, respectively.

Frisco et al. (U.S. Patent Publication No. 20030061330) teaches a project and process management tool for managing projects requiring collaboration among multiple parties.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571) 272-5880. The examiner can normally be reached on M-F 8am-5pm.

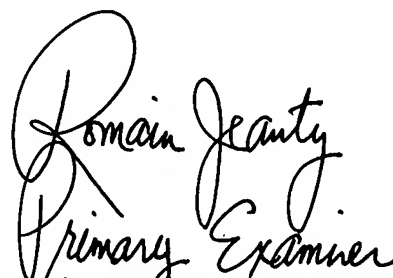
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
kkd

  
Primary Examiner  
Art Unit 3623